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**EXPEDITED PROCEDURE  
AMENDMENT  
UNDER 37 C.F.R. §1.116  
GROUP ART UNIT 1644**

**FACSIMILE TRANSMISSION**

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**PLEASE DELIVER THE FOLLOWING PAGES**

TO : P. Huynh  
COMPANY/FIRM : United States Patent and Trademark Office  
FACSIMILE NO. : (703) 872-9306  
FROM : Gary J. Gershik/DJK  
TOTAL NUMBER OF PAGES, INCLUDING COVER PAGE: 22 13  
DATE : March 22, 2004 TIME: \_\_\_\_\_

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DOCKET: 2609/60807-A-PCT-US U.S. SERIAL NUMBER: 09/816,989  
MESSAGE: AMENDMENT UNDER 37 C.F.R. §1.116 AND NOTICE OF APPEAL

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EXPEDITED PROCEDURE  
UNDER 37 C.F.R. §1.116  
ART UNIT 1644

Dkt. 60807-A-PCT-US/JPW/GJG/DJK  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

Applicants : Alexander Gad and Dora Lis  
U.S. Serial No.: 09/816,989 Examiner: P. Huynh  
Filed : March 23, 2001 Group Art Unit: 1644  
For : COPOLYMER 1 RELATED POLYPEPTIDES FOR USE  
AS MOLECULAR WEIGHT MARKERS AND FOR  
THERAPEUTIC USE

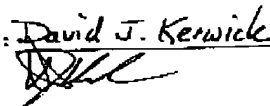
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March 22, 2004

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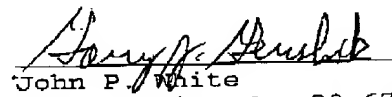
FACSIMILE CERTIFICATION OF TRANSMISSION  
IN CONNECTION WITH THE ABOVE-IDENTIFIED APPLICATION

Date of Facsimile: March 22, 2004. I hereby certify that this paper including Notice of Appeal from Examiner's Decision to the Board of Patent Appeals and Interferences under 37 C.F.R. §1.116 in Response to September 22, 2003 Final Office Action is being transmitted to the U.S. Patent and Trademark Office on the date indicated above by facsimile and is addressed to U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 Attn: P. Huynh.

Printed Name: David J. Kerwick



Respectfully submitted,

  
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Registration No. 28,678  
Gary J. Gershik  
Registration No. 39,992  
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EXPEDITED PROCEDURE  
UNDER 37 C.F.R. §1.116  
ART UNIT 1644

Dkt. 60807-A-PCT-US/JPW/GJG/DJK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Sir:

NOTICE OF APPEAL FROM THE EXAMINER'S DECISION  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants hereby appeal to the Board from the decision of the Examiner mailed September 22, 2003 finally rejecting the pending claims 123-125, 127, 129-142, 144-166 in connection with the above-identified application.

A response to the September 22, 2003 Final Office Action was originally due December 22, 2003. On December 22, 2003 applicants filed an Amendment, canceling rejected claims 125, 129-131, 134-151, 154 and 158-166 and amending claims 123, 133, 152 and 157. On February 11, 2004, the Examiner issued an Advisory Action alleging that the applicants' December 22, 2003 Amendment had not overcome the 35 U.S.C. § 112, first paragraph rejections for enablement and written description of claims 123, 124, 127, 132, 133, 152, 153, and 155-157. On March 2, 2003, applicants filed a Petition for Three Months

Applicants: Alexander Gad et al.  
Serial No.: 09/816,989  
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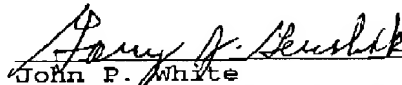
Extension of Time by facsimile, charging the requisite fee to the deposit account given below to extend the deadline for reply to the September 22, 2003 final Office Action to March 22, 2004. Applicants also filed a Supplemental Amendment on March 2, 2004 by facsimile. During a March 19, 2004 telephone conference between Examiner P. Huynh and the applicant's undersigned attorney, the Examiner alleged that the March 2, 2004 Supplemental Amendment still did not place the subject application in condition for allowance.

Accordingly, applicants are filing this Notice of Appeal to keep the subject application pending beyond the six month statutory period for reply to the September 22, 2003 final Office Action, i.e. beyond March 22, 2004.

Applicants: Alexander Gad et al.  
Serial No.: 09/816,989  
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The required fee for filing a Notice of Appeal under 37 C.F.R. §1.17(b) for a large entity is \$330.00. Authorization is hereby given to charge this fee to Deposit Account No. 03-3125. No other fee is deemed necessary in connection with the filing of this Notice. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,

  
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